

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. v. Gerald L. Morring

Docket No. 5:15-MJ-2029

Petition for Action on Probation

COMES NOW Lakesha H. Wright, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Gerald L. Morring, who, upon an earlier plea of guilty to Level 2 Driving While Impaired, in violation of 18 U.S.C. § 13 assimilating N.C.G.S. § 20-138.1, was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on February 4, 2016, to 12 months probation under the conditions adopted by the court.

On December 8, 2016, a Violation Report was submitted to the court advising Morring failed to make payments toward his \$25 special assessment and \$1,000 fine and that he failed to complete treatment which was recommended as a result of a substance abuse and mental health evaluation conducted by East Coast Counseling on February 29, 2016. It was also noted that the defendant's noncompliance was devoid of willful intent inasmuch as he had been unemployed since the commencement of his probationary period, received limited financial assistance from family members, and lacked transportation. As a result of Morring's difficulties, he was continued under supervision without modification.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Since the submission of the above-noted Violation Report, Morring has secured employment with Olam Edible Nuts in Edenton, North Carolina, and, as a result, made a \$100 payment toward his court-ordered financial obligation. Additionally, on January 4, 2017, the defendant underwent a substance abuse and mental health evaluation at PORT Human Services in Elizabeth City, North Carolina. As a result of the evaluation, Morring was diagnosed with a moderate alcohol use disorder and generalized anxiety and was recommended for substance abuse treatment and monthly group/individual therapy. Inasmuch as the defendant's probation is scheduled to expire on February 3, 2017, and he has not completed the recommended treatment, it is respectfully recommended that his probation be extended for 12 months. Morring signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The term of probation be extended for 12 months (from February 3, 2017, to February 2, 2018).

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

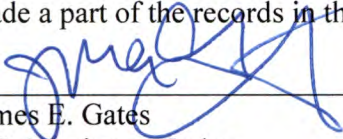
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Lakesha H. Wright
Lakesha H. Wright
U.S. Probation Officer
306 East Main Street, Room 306
Elizabeth City, NC 27909-7909
Phone: 252-335-5508
Executed On: January 31, 2017

ORDER OF THE COURT

Considered and ordered this 1 day of February, 2017, and ordered filed and
made a part of the records in the above case.


James E. Gates
U.S. Magistrate Judge